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**Introduced by Senator Torlakson**

February 19, 2003

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An act to add Section 53313.51 to the Government Code, relating to community facilities districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 303, as introduced, Torlakson. Community facilities districts.

Existing law provides for the establishment of community facilities districts as a means of financing the construction, purchase, or improvement of certain public facilities and certain public services.

This bill would authorize the legislative body of the district to enter into an agreement for the construction of authorized facilities and for the purchase of the facilities after their completion, subject to specified conditions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 53313.51 is added to the Government  
2 Code, to read:  
3 53313.51. The legislative body may enter into an agreement  
4 for the construction of authorized facilities and their purchase after  
5 completion consistent with Section 53313.5. The agreement may  
6 include any provisions that the legislative body determines are  
7 necessary or convenient, but shall do all of the following:  
8 (a) Identify the specific facilities or discrete portions or phases  
9 of facilities to be constructed and purchased. The legislative body  
10 may agree to purchase discrete portions or phases of facilities if the

1 portions or phases are capable of serviceable use as determined by  
2 the legislative body. However, in the case of facilities with a  
3 purchase value exceeding five million dollars (\$5,000,000), the  
4 legislative body may agree to purchase discrete portions or phases  
5 of the partially completed project.

6 (b) Identify procedures to ensure that the facilities are  
7 constructed pursuant to plans, standards, specifications, and other  
8 requirements as determined by the legislative body.

9 (c) Specify a price or a method to determine a price for each  
10 facility or discrete portion or phase of a facility. The price may  
11 include an amount reflecting the interim cost of financing cash  
12 payments that must be made during construction of the project, at  
13 the discretion of the legislative body.

14 (d) Specify procedures for final inspection and approval of  
15 facilities or discrete portions of facilities, for approval of payment,  
16 and for acceptance and conveyance or dedication of the facilities  
17 to the local agency.

